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127 NOV 1956

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MEMORANDUM FOR: Deputy Director (Support)

SUBJECT : Accumulation and Forfeiture of Annual Leave

1. This memorandum is for your information.
2. Section 203(c) of the Annual and Sick Leave Act of 1951, as amended, which governs leave administration for Agency employees, provides for the accumulation of annual leave for use in succeeding years of not more than 30 days for most employees. Exceptions are provided for employees serving overseas, whose limit is 45 days, and for those employees who had already accumulated larger leave balances at the time the 30-day limit was imposed. Employees who have accumulated the maximum annual leave credit must forfeit any leave earned during a given calendar year which they have not used. The deadline for use of 1956 leave is 12 January 1957--the end of the last pay period beginning in calendar year 1956.
3. The Comptroller General has consistently denied any area of discretion in applying the maximum accumulation provision, even to the extent of requiring a refund of a lump-sum leave payment covering leave which could not be recredited because of this limitation. He has been equally consistent in holding that, while the accrual of leave is a matter of right, its use is a matter of privilege and is subject to administrative control.
4. There are no accurate statistics available as to the amount of annual leave forfeited each year by Federal employees. Incidental items appearing in the newspapers from time to time point out considerable losses. While it must be assumed that some of the total forfeiture represents cases in which individual employees simply did not choose to use their leave, a large portion must be attributed to cases in which employees were unable to use their leave either by reason of a continuing high workload or because of emergencies precluding use at the time desired or planned.

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Harrison G. Reynolds  
Director of Personnel

CONCUR:

By: 016

Distribution: O&I - Addressee ✓

- 1 - General Counsel
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General Counsel

Date: 29 NOV 1956

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